

EXHIBIT NO. 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

VISANJI GALA and
JAYA GALA

Plaintiffs,

Civil Action No.: 2:20-cv-02265-SHM-tmp

v.

JURY DEMANDED

TESLA MOTORS TN, INC.,
and TESLA MOTORS, INC.,

Defendants.

**DECLARATION OF JASJIT AHLUWALIA IN SUPPORT OF THE MOTION OF TESLA
MOTORS TN, INC. AND TESLA, INC. TO COMPEL ARBITRATION AND FOR
DISMISSAL**

EXHIBIT NO. 1

1 I, Jasjit Ahluwalia, declare as follows:

2 1. I am a Software Engineering Manager at Tesla, Inc. (“Tesla”), where I have been
3 employed for more than eight years. My job responsibilities consist of software development and
4 database administration, including with respect to Salesforce (the document management system
5 used by Tesla in September and October 2019), and other systems Tesla uses for document
6 management and generation. Except as otherwise noted, I have personal knowledge of the
7 following facts and if called to testify, could and would testify competently thereto.

8 2. The exhibit referenced below and attached is a record relating to Plaintiff Visanji
9 Gala in the above-referenced case and was obtained from Tesla’s Salesforce database. Tesla does
10 not have a record of any orders, vehicle sales, or other transactions with Plaintiff Jaya Gala.

11 3. Tesla’s Salesforce records are generated at or near the time of the events they
12 record, either by Tesla employees with personal knowledge of the events or by automated means
13 in response to customer or Tesla actions. Tesla keeps the records in the course of the regularly-
14 conducted activities of its business and creates the records as a regular part of those activities.

15 4. On September 10, 2019, Mr. Gala (or someone acting on his behalf) placed an
16 online order for a Model S Long Range. Attached as **Exhibit A** is a true and correct copy of Mr.
17 Gala’s Motor Vehicle Order Agreement (“Order Agreement”), which shows the vehicle and
18 options that Mr. Gala selected and ordered, as well as a date showing when the order was placed.

19 5. As a part of the online order process, on September 10, 2019, the Tesla Motor
20 Vehicle Order Agreement was made available to Mr. Gala through his Tesla Account.

21 6. The Order Agreement, Exhibit A, contains an arbitration agreement that allows
22 customers to opt out of arbitration within 30 days. Tesla’s records do not show that Mr. Gala mailed
23 to Tesla, at the address provided in his Order Agreement, a request to opt out of the arbitration
24 agreement.

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1 I declare under penalty of perjury under the laws of the United States of America that this
2 Declaration is true and correct. Executed on this 15th day of May 2020 in San Francisco,
3 California.

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5 /s/ Jasiit Ahluwalia
6 Jasjit Ahluwalia
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